

<http://michigan.gov/mpsc>

MINUTES OF THE REGULAR COMMISSION MEETING OF THE MICHIGAN PUBLIC SERVICE COMMISSION HELD IN ITS OFFICES ON AUGUST 10, 2010

Commission Chairman Orjiakor N. Isiogu called the meeting to order at 1:30 p.m.
Executive Secretary Mary Jo Kunkle called the roll and declared there was a quorum.

PRESENT

Commission: Orjiakor N. Isiogu, Chairman
Monica Martinez, Commissioner
Greg R. White, Commissioner

Staff: Alissa Day
Judy Palnau
Mary Jo Kunkle
Catherine Bowers
Robin Ancona
Anne-Marie Clark

Public: Suzy Denison, MEGA
B. K. Roberts, Consumers Energy
Deb Harmon, Consumers Energy
Lisa Gustafson, Consumers Energy
Robin Gleason, AT&T
Mark Ortlieb, AT&T
Marilyn Oliver, DTE Energy
Jim Padgett, DTE Energy

- I.** Commissioner Martinez moved to approve today's agenda, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The agenda was approved.

- II.** Commissioner Martinez moved to approve the minutes of the Regular Commission Meeting of July 27, 2010, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minutes were approved.

III. ORDERS

A. COMMUNICATIONS

1. U-16183 COMMISSION'S OWN MOTION
(access rate restructuring)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which is a proceeding commenced on the Commission's own motion to provide guidance and direction to telecommunications providers regarding the implementation of 2009 PA 182. The order before you addresses the petition for rehearing of the May 17, 2010 order and sets out the mechanics of the restructuring mechanism, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

2. U-16282 LYNX NETWORK GROUP
(temporary license)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which is an application for a temporary license to provide basic local exchange service. The order before you grants the temporary license, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

3. U-16391 IBC TELECOM CORP.
(temporary license)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which is an application for a temporary license to provide basic local exchange service. The order before you grants the temporary license, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

4. U-16397 COMMUNICATIONS VENTURE CORPORATION, d/b/a
INDIGITAL TELECOM
(temporary license)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which is an application for a temporary license to provide basic local exchange service. The order before you grants the temporary license, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

5. U-16410 BUCKEYE TELESYSTEM, INC.
(temporary license expansion)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which is an application for a temporary geographic expansion of a license to provide basic local exchange service. The order before you grants the temporary license expansion, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

B. ELECTRIC

1. U-15645 CONSUMERS ENERGY COMPANY
(self-implementation refund)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which involves an application filed by Consumers Energy Company for authority to refund excess revenues collected through self-implemented rates in 2009, and residual amounts associated with the sale of the Palisades Nuclear Plant. The order before you authorizes Consumers Energy Company to refund \$15,722,954 of excess revenues, and \$2,188,533 of residual amounts, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White

Nays – None

The order was adopted.

PRESS RELEASE ISSUED

2. U-15806 THE DETROIT EDISON COMPANY
(EO plan rehearing)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010, which involves an application by The Detroit Edison Company requesting approval of an amended energy optimization plan. The order before you rejects a petition for rehearing filed by Attorney General Michael A. Cox, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

3. U-15806 THE DETROIT EDISON COMPANY
(renewable energy contracts)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which involves an application by The Detroit Edison Company for *ex parte* approval of two long-term renewable energy contracts between The Detroit Edison Company and WM Renewable Energy, L.L.C., and L’Anse Warden Electric Company LLC. The order before you approves the contracts as in compliance with Act 295 of 2008, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

4. U-16047 THE DETROIT EDISON COMPANY
(’10 PSCR plan)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which involves an application filed by The Detroit Edison Company for authority to implement a power supply cost recovery plan. The order before you approves a

settlement agreement resolving all issues in the case, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

5. U-16154 GORDON GROSSMAN v MICHIGAN CONSOLIDATED GAS COMPANY & DTE ENERGY COMPANY

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which is a complaint filed by Gordon Grossman against Michigan Consolidated Gas Company and DTE Energy Company alleging a violation of the Commission's billing rules for residential and non-residential customers. The order before you dismisses the complaint with prejudice, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

6. U-16235 DPL ENERGY RESOURCES, INC.
(renewable energy plan)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which involves an application by DPL Energy Resources, Inc., for approval of a renewable energy plan to comply with the requirements of Public Act 295 of 2008. The order before you approves the renewable energy plan, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

7. U-16406 THE DETROIT EDISON COMPANY
(vehicle tariff)

Commissioner Martinez moved that the Commission adopt and issue order dated August 10, 2010 which involves an application by The Detroit Edison Company for approval of its experimental electric vehicle tariff. The order before you approves the tariff, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The order was adopted.

PRESS RELEASE ISSUED

8. **MINUTE ACTION** **ANIMAL CONTACT CURRENT MITIGATION INVESTIGATION**
(Case No. U-16129 stray voltage)

Commissioner Martinez moved that the Commission adopt and issue minute dated August 10, 2010 accepting the Commission Staff's (Staff) July 26, 2010 Cross Examination Invoice Analysis Report (Report), approving the recommendations of the Staff regarding the invoiced expenses of three of the expert investigators as reasonable under the authority provided in R 460.2705(5), approving the recommendation of the Staff regarding the partial disallowance of certain of the invoiced expenses of one of the expert investigators as unreasonable under the authority provided in R 460.2705(5), and directing the Commission's Executive Secretary to forward a copy of the July 26, 2010 Staff Report to Consumers Energy Company with instructions for: (1) payment by the utility to the expert investigators pursuant to R 460.2705(6) of the reimbursable amounts identified by the Staff within 10 business days, and (2) the utility's obligation to submit to the Staff proof of payment of the adjusted invoice amounts to each of the expert investigators, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The minute was adopted.

IV. PUBLIC COMMENTS

There were no public comments.

Chairman Isiogu announced that a press release was issued today regarding two new Consumer Alerts that help customers better understand their energy bills.

Chairman Isiogu announced that the next regularly scheduled Commission Meeting will be held on August 30, 2010.

Commissioner Martinez moved that the Commission adjourn, Commissioner White seconded.

Vote: Yeas – Isiogu, Martinez, White
Nays – None

The motion was approved.

The meeting adjourned at 1:40 p.m.

Mary Jo Kunkle
Executive Secretary